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Attorneys for STATE OF ARIZONA

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN CARROLL DeMOCKER,

Defendant.

Cause No. P1300CR201001325

Division 1

AFFIDAVIT REQUESTING
ATTENDANCE OF OUT-OF-
STATE WITNESS

STATE OF ARIZONA)
) ss
County of Yavapai)

JEFFREY G. PAUPORE, being first duly sworn upon his oath, deposes and says:

1. He is the Deputy Yavapai County Attorney assigned to prosecute the above-noted matter.

2. That Defendant, STEVEN CARROLL DEMOCKER, was indicted on December 10, 2010 in P1300CR201001325 with one (1) count First Degree Murder, a class 1 felony; one (1) count First Degree Burglary, a class 2 felony; two (2) counts of Fraudulent Schemes and Artifices, class 2 felonies; one (1) count of Conspiracy to Commit Fraudulent Schemes and Artifices, a class 2 felony; two (2) counts Forgery, class 4 felonies; one (1) count of Fraudulent Schemes and Practices, a class 5 felony; one (1) count of Tampering with Physical Evidence, a class 6 felony and one (1) count of

STATE SUPERIOR COURT
YAVAPAI COUNTY

2012 FEB 24 AM 10:48

CLERK OF THE COURT
BY: V REISINGER

1 Contributing to the Delinquency of a Child, a class 1 misdemeanor.

2 3. A criminal trial is scheduled in this Court and in this matter commencing on or about
3 the morning of the 14th March, 2012.

4 4. Affiant believes that **JAMES R. DEMOCKER** is a necessary witness to matters
5 material to the issues to be determined at the deposition in regard to the criminal trial and his
6 presence is required by the State of Arizona to present this matter effectively.
7

8 5. **JAMES R. DEMOCKER (JD)** is a necessary witness because the State has evidence
9 showing that in August 2008 JD paid the initial retainer for probate attorney Chris Kottke and
10 assisted Katie DeMocker in the Virginia Carol Kennedy probate, and has personal knowledge of
11 material events in the administration of the Kennedy Probate. In or about August, 2008 JD
12 forcibly evicted James Knapp from the Bridle Path guest house. After the arrest of Steven
13 DeMocker, JD paid all of Defendant's bills, arranged loans; and has personal knowledge of
14 Defendant's plan to acquire the Hartford Insurance proceeds. JD knew in February, 2009 that a
15 "flood of money" was forthcoming to his Defendant brother. JD tells the Defendant on March
16 30, 2009 that he "knows the big picture". It was JD's suggestion to Defendant to keep finances
17 "opaque". Defendant discussed with JD ways to pressure Katie into releasing the \$750,000.00 to
18 be used for his attorney fees. JD received Charlotte DeMocker's social security survivor benefit
19 checks. JD created and distributed letters, emails and detailed spread sheets tracking the
20 insurance money from the trust to the attorneys.
21

22 6. Affiant is further informed and believes that said witness is out-of-state and within the
23 borders of the State of Virginia and said witness **JAMES R. DEMOCKER** is residing at 6615
24 Heidi Ct. McLean, Virginia 22101 and that there is no undue hardship on the witness in being
25 compelled to attend and testify at the deposition scheduled in this matter.
26

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1 It is respectfully requested that this Court certify the presence of said witness to the
2 responding Court of Record in the State of Virginia under the provisions of the Uniform Act to
3 Secure Attendance of Witnesses from Without the State in Criminal Cases as enacted in the State
4 of Virginia under the appropriate provisions of the laws of the said State.

5
6 RESPECTFULLY SUBMITTED this 22nd day of February, 2012.

7
8 JEFFREY G. PAUPORE
YAVAPAI COUNTY ATTORNEY

9
10 By: *Jeffrey G. Paupore*

11 Jeffrey G. Paupore
12 Yavapai County Attorney

13 SUBSCRIBED and SWORN to before me this 22nd day of February, 2012, by Jeffrey G.
14 Paupore.

15 *Kristy Matheson*
16 Notary Public

17 My Commission Expires:

18 9/15/2013

